



General Assembly

Substitute Bill No. 5023

February Session, 2000

An Act Concerning Safe Havens.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) The Division of State Police and each local police
2 department and hospital operating an emergency room shall designate
3 employees authorized to take physical custody of an infant pursuant to
4 section 2 of this act. There shall be a designated employee on duty at
5 each state police barracks, local police station and hospital emergency
6 room during regular business hours. There shall be a designated place
7 inside such state police barracks, local police station or hospital
8 emergency room where physical custody may be taken.

9 Sec. 2. (NEW) (a) An employee designated pursuant to section 1 of
10 this act shall take physical custody of any infant thirty days or younger
11 if the parent or lawful agent of the parent voluntarily surrenders
12 physical custody of the infant to such designated employee unless the
13 parent or agent clearly expresses an intent to return for the infant.

14 (b) The designated employee may request the parent or agent to
15 provide the name of the parent or agent and information on the
16 medical history of the infant. The parent or agent is not required to
17 provide such name or information. The designated employee may
18 provide the parent or agent with a numbered identification bracelet to
19 link the parent or agent to the infant. The bracelet shall be used for
20 identification only and shall not be construed to authorize the person

21 who possesses the bracelet to take custody of the infant on demand.
22 The designated employee shall provide the parent or agent with a
23 pamphlet describing the process established under this act.

24 Sec. 3. (NEW) (a) Not more than twenty-four hours after taking
25 physical custody of the infant the designated employee shall notify the
26 Department of Children and Families of such custody.

27 (b) The Department of Children and Families shall assume the care
28 and control of the infant immediately upon receipt of notice under
29 subsection (a) of this section.

30 (c) Any infant in the care and control of the department under the
31 provisions of this section shall be considered to be in the custody of the
32 department.

33 Sec. 4. (NEW) (a) If a person claiming to be a parent or agent of an
34 infant left with a designated employee under section 2 of this act
35 submits a request to the Commissioner of Children and Families for
36 reunification with the infant, the commissioner may identify, contact
37 and investigate such person or agent to determine if such reunification
38 is appropriate or if the parental rights of the parent should be
39 terminated.

40 (b) Information concerning a parent or agent or infant left with a
41 designated employee shall be confidential.

42 (c) Possession of a bracelet linking the parent or agent to an infant
43 left with a designated employee if parental rights have not been
44 terminated creates a presumption the parent or person has standing to
45 participate in a custody hearing for the infant under chapter 319a of
46 the general statutes and does not create a presumption of maternity,
47 paternity or custody.

48 Sec. 5. (NEW) The Department of Children and Families, in
49 consultation with the Attorney General, shall prepare a public
50 information program about the process established under this act.

51 Such program shall include distribution to mothers and agents of a
52 pamphlet that has the following information: (1) An explanation of the
53 process established by sections 1 to 5, inclusive, of this act; (2) the legal
54 ramifications and protections for the mother or agent; (3) what will
55 happen to the infant; (4) how to contact the Department of Children
56 and Families with questions and the procedures for reunification; (5)
57 the timelines involved in termination of parental rights and adoption;
58 and (6) any other relevant information.

59 Sec. 6. Section 53-21 of the general statutes is repealed and the
60 following is substituted in lieu thereof:

61 (a) Any person who (1) wilfully or unlawfully causes or permits any
62 child under the age of sixteen years to be placed in such a situation
63 that the life or limb of such child is endangered, the health of such
64 child is likely to be injured or the morals of such child are likely to be
65 impaired, or does any act likely to impair the health or morals of any
66 such child, or (2) has contact with the intimate parts, as defined in
67 section 53a-65, of a child under the age of sixteen years or subjects a
68 child under sixteen years of age to contact with the intimate parts of
69 such person, in a sexual and indecent manner likely to impair the
70 health or morals of such child, or (3) permanently transfers the legal or
71 physical custody of a child under the age of sixteen years to another
72 person for money or other valuable consideration or acquires or
73 receives the legal or physical custody of a child under the age of
74 sixteen years from another person upon payment of money or other
75 valuable consideration to such other person or a third person, except in
76 connection with an adoption proceeding that complies with the
77 provisions of chapter 803, shall be guilty of a class C felony.

78 (b) Any parent or agent who leaves an infant thirty days or younger
79 with a designated employee pursuant to section 2 of this act shall not
80 be guilty of a violation under this section.

81 Sec. 7. Section 53-23 of the general statutes is repealed and the
82 following is substituted in lieu thereof:

83 (a) Any person having the charge of any child under the age of six
84 years who exposes [it] such child in any place, with intent wholly to
85 abandon it, shall be fined not more than five hundred dollars and
86 imprisoned not more than five years.

87 (b) Any parent or agent who leaves an infant thirty days or younger
88 with a designated employee pursuant to section 2 of this act shall not
89 be guilty of a violation under this section.

KID Committee Vote: Yea 12 Nay 0 JFS C/R JUD

JUD Committee Vote: Yea 40 Nay 0 JFS

PS Committee Vote: Yea 22 Nay 0 JF

PH Committee Vote: Yea 22 Nay 0 JF